IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRIMINAL APPLICATION NO. 3003 OF 2007

Shri Riyaz Ahmad Abdul Kalam Shaha. ... Applicant.

V/s.

The State of Maharashtra. ... Respondent.

Gopal V. Bhagat with P.L.Hedawoo and W.I. Shaikh for the applicant.

K.V.Saste, APP for the State.

CORAM: V.C.DAGA, J.

DATED: 9th October 2007.

P.C.:

. Heard learned counsel for the applicant and learned A.P.P. for the State.

2. The applicant is seeking bail in connection with C.R.No.I-115/2007 registered with Khapoli Police Station, Raigad for the offences punishable under sections 395, 412 of Indian Penal Code.

3. The only incriminating circumstance, which the learned A.P.P. pointed out is confessional statement of one co-accused; wherein the applicant is implicated. There is no material available on record

to corroborate the statement of the co-accused. In these circumstances of the case, in my view, applicant would be entitled to bail. I am, therefore, inclined to grant bail to the applicant, subject to the following conditions:

(a) The applicant, arrested in connection with C.R.No.I-115/2007 registered with Khapoli Police Station, Raigad shall be enlarged on bail in the sum of Rs.25,000/- with one or two sureties to make up the said amount.

(b) The applicant shall report to the concerned Police Station once in a week, i.e. on every Saturday between 3.00 to 5.00 p.m. till conclusion of the trial. He shall co-operate with the investigating agency for disposal of the case.

(c) The order of bail will be given effect only after the applicant furnishes to the investigating officer the details about his place of residence and address where he proposes to stay after he is enlarged on bail. The applicant will not change his residential address thereafter till the conclusion of trial without prior intimation to the investigating officer.

(d) The applicant shall not directly or indirectly, make any inducement or threat or pressurise any prosecution witnesses and shall not in any manner tamper with the prosecution evidence.

(e) It is needless to mention that breach of any of the conditions by the applicant shall result in cancellation of bail.

(f) Any observation made in this order shall not be construed as finding or expression on merits of the case at the time of trial.

4. Application stands disposed of accordingly.

JUDGE